

FILED

February 4 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 09-0632

FILED

FEB - 4 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

DEREK STEBNER and STEBNER  
REAL ESTATE, INC., a Washington Corporation,

Plaintiffs and Appellants,

v.

ORDER

ASSOCIATED MATERIALS, INC. (AMI) d/b/a  
ALSIDE,

Defendant and Appellee.

M. R. App. P. 12(1)(f) requires that the argument portion of a brief be preceded by a summary, under an appropriate heading, which contains a succinct, clear, and accurate statement of the arguments made in the body of the brief and not a mere repetition of the argument headings.

The Court has determined that appellants' brief filed February 4, 2010, does not comply with this Rule. Therefore,

IT IS ORDERED that the signed original and nine copies of the referenced brief be, and are hereby, returned for revisions necessary to comply with the specified Rule;

IT IS FURTHER ORDERED that no other changes, additions or deletions may be made to the brief as originally filed;

IT IS FURTHER ORDERED that the signed original and nine copies of the revised brief ordered herein be filed within ten days of the date of this Order with the Clerk of the

Supreme Court and one copy of each revised brief be served on counsel of record and each party appearing pro se;

IT IS FURTHER ORDERED that the postage costs for returning the referenced copies of appellants' brief will be billed to appellants' counsel by the Clerk of the Supreme Court and shall be due and payable upon receipt; and

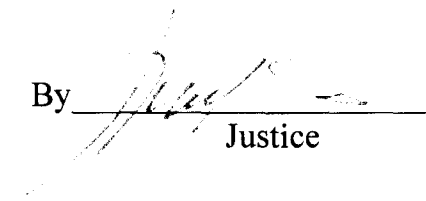
IT IS FURTHER ORDERED that the times for any subsequent briefing contained in M. R. App. P. 13 shall run from the date of refileing of the brief being returned this date.

The Clerk is directed to mail a true copy of this Order, together with all copies of appellants' brief referenced herein, to counsel for appellants and to mail a true copy of this Order to all counsel upon whom the brief was served.

DATED this 4th day of February, 2010.

For the Court,

By

A handwritten signature in dark ink, appearing to be "J. L. ...", is written over a horizontal line.

Justice